

Message Text

UNCLASSIFIED

PAGE 01 ALGIER 00534 181236Z
ACTION XMB-04

INFO OCT-01 NEA-10 ISO-00 SSO-00 EB-08 L-03 /026 W
-----093698 181239Z /17

O 181200Z FEB 78
FM AMEMBASSY ALGIERS
TO SECSTATE WASHDC NIACT IMMEDIATE 8059

UNCLAS ALGIERS 0534

FOR S/S-O

E.O. 11652: N/A
TAGS: EFIN
SUBJECT: EXIM LITIGATION

1. PLEASE PASS ASAP FOLLOWING MESSAGE FROM EXIM CHAIRMAN
MOORE TO WARREN GLICK, GENERAL COUNSEL, EXIM BANK:

QUOTE: I AM IN AGREEMENT WITH SUGGESTED STIPULATION AND
MOTION TO DISMISS IF I UNDERSTAND CORRECTLY AS FOLLOWS:

A. DISCUSSIONS WILL CENTER ON REGULATIONS ALONG LINES
PREPARED AT EXIM, PARTICULARLY THAT SECTION 102(2)(C)
STATEMENTS WILL BE REQUIRED FOR SIGNIFICANT ENVIRONMENT-
AL EFFECTS ON U.S. AND GLOBAL COMMONS IN PROJECTS
WHERE OUR PROPOSED FINANCING SUPPORTS EXPORTS EXCEEDING
50 PERCENT OF FOREIGN CONTENT.

B. OTHER MAJOR DEPARTMENTS ARE IN AGREEMENT. COUNSEL
TO THE PRESIDENT, DOMESTIC COUNCIL AND NATIONAL SECURITY
COUNCIL ARE IN AGREEMENT.

C. IT IS THE OPINION OF JUSTICE AS WELL AS GENERAL
COUNSELS OF EXIM AND OTHER MAJOR DEPARTMENTS THAT
IN SUBSEQUENT LITIGATION OUR CONCESSION OF NEPA
APPLICABILITY TO THE GLOBAL COMMONS WILL NOT HAVE
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CONCEDED FOREIGN APPLICABILITY GENERALLY BUT
LEAVES US IN A SOUND POSITION FOR DEFENSE.

D. JUSTICE HAS AGREED TO DEFEND US IN THIS AND
SUBSEQUENT LITIGATION ON POSTURE OUTLINED IN YOUR TELEX
EVEN IF THE PRESENT OR FUTURE PLAINTIFFS DO NOT AGREE
TO SETTLEMENT.

E. OTHER DIRECTORS OF EXIMBANK ARE IN AGREEMENT. END
QUOTE.
HAYNES

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LITIGATION
Control Number: n/a
Copy: SINGLE
Draft Date: 18 feb 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978ALGIER00534
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780075-1086
Format: TEL
From: ALGIERS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780238/aaaabfuz.tel
Line Count: 66
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 1df107d4-c288-dd11-92da-001cc4696bcc
Office: ACTION XMB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 22 feb 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3550404
Secure: OPEN
Status: NATIVE
Subject: EXIM LITIGATION
TAGS: EFIN, AG, XMB
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/1df107d4-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
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